

Exhibit M

From: [Hunter, Nicholas \(NSD\)](#)
To: [Sloan, Matthew E](#); [Reitmeier, Emily A](#)
Cc: [DiCanio, Jack P](#); [Vartain, Laura \(USACAN\)](#); [Marzen, Stephen \(NSD\)](#); [Walsh, Nicholas \(USACAN\)](#)
Subject: U.S. v. Jinhua - Taiwan Evidence for Pre-Trial Authentication
Date: Wednesday, October 13, 2021 9:48:39 PM
Attachments: [Taiwan Certification w LINE Chats.pdf](#)

Hi Matt and Emily,

Thank you for the call last night. I hope the further discussion of our forthcoming motion for pre-trial authentication motion was helpful. Pursuant to your request, I am writing to make sure we are on the same page about the evidence we hope to gain a court order or agreed stipulation about authenticity for. As I mentioned, we are seeking a pre-trial order or stipulation on authentication in hopes of limiting the number of MJIB seizing agents whose testimony we might otherwise need to elicit at trial to describe MJIB's seizure of digital devices in February 2017.

The items of evidence for which we are currently seeking pre-trial authentication are:

- The forensic images of the devices seized in Taiwan by the MJIB in February 2017. We produced the forensic images on May 13, 2017, using the bates TAIWANHD_FI-00000001 to refer to the drive that contained all of the images. The certificates from Taiwan authenticating the forensic images are at USD-0885770. The United States purports the forensic images to be what Taiwan states them to be in the certificates: images of devices seized from the locations stated in the certificates and belonging to the stated custodians.
- The contents of the Taiwan Hard Drive 48, which the United States produced to Jinhua on July 8, 2020. The United States purports that Hard Drive (and its contents), to be what is described in the associated certificates of authenticity from Taiwan (USD-0838190), and the accompanying "TDPO Statement" (original at USD-0838196; translated at USD-0838486) referenced in the certificates. That is, the United States purports Hard Drive 48 to contain files found on the corresponding seized device described in the TDPO Statement, and forensic extractions (UFED files) from those devices.
- The LINE chats between Kenny Wang and JT Ho extracted from Wang's cell phone with number ending 4291. The LINE chats have been produced as follows:
 - A print-out of the LINE chats obtained from Taiwan is at is USD-0000513. *See also* D-0000160; USD-0000551; USD-0320906. A translation of the LINE chats can be found at USD-0320940, for your ease of reference.
 - The CelleBrite extraction that includes the LINE chats is in the Taiwan Hard Drive 48 under the folder 106030-25-01. We produced the Taiwan Hard Drive 48 on July 8, 2020. A bates stamped .pdf version of the CelleBrite extraction is at TAIWANHD-02318616. The Ho-Wang chats can be found at pp. 381-433.
 - The LINE charts are authenticated by, for example, the certificates that accompanied Hard Drive 48 (USD-0838190) and the accompanying TDPO Statement (translation at USD-0838486). Additionally, the attached certificate, which will be included in a forthcoming production, relates to the print-out of LINE chats obtained from Taiwan and produced to Jinhua.

Note, authentication of the LINE chats would follow from authentication of Taiwan Hard Drive 48, since the chats are included on that drive. But since there are multiple instances of the LINE chats in discovery, we are singling out that specific item of evidence on Hard Drive 48 for the sake of clarity prior to trial.

As previously discussed, if Jinhua agrees to stipulate to the authenticity of any of the above evidence, please let us know prior to the filing of our motion, which we expect to do by the end of this week. We understand that Jinhua plans to elicit testimony from its forensic expert Mr. Ashley about the chain of custody of the seized devices. Such issues, however, are factual ones for the jury, not for the court to weigh in determining whether the government has satisfied its burden of authenticating evidence prior to admission. We therefore continue to hope there is room for agreement regarding authentication of the above-described evidence.

Thanks,
Nic

Nic Hunter
Trial Attorney
Counterintelligence and Export Control Section
National Security Division, U.S. Department of Justice
(202) 353-3434 (U/STE) (office)
(202) 598-5885 (cell)
SIPR: nicholas.hunter@nsd.usdoj.gov
JWICS: nicholas.hunter@nsd.doj.ic.gov